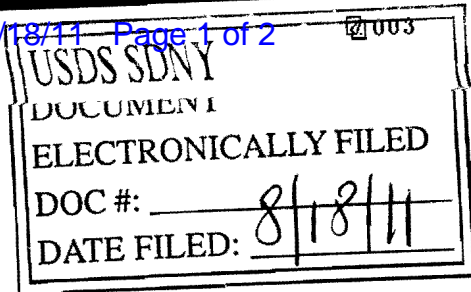


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MAZAROLI LAW OFFICE



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
INDEMNITY INSURANCE COMPANY OF  
NORTH AMERICA a/s/o Perrigo Company

Plaintiff,

- against -

EF TRUCKING LLC; BRINK TRUCK LINES  
INC.;

Defendants.  
-----X

11 Civ. 1395 (HB)

**STIPULATION & ORDER OF  
TRANSFER TO THE UNITED  
STATES DISTRICT COURT  
FOR THE WESTERN  
DISTRICT OF MICHIGAN**

WHEREAS defendant Brink Truck Lines, Inc. ("Brink") has filed a motion to transfer this action to the United States District Court for the Western District of Michigan ("transferee court");

WHEREAS Brink consents to jurisdiction and venue in the proposed transferee court, which is a federal judicial district through which it operates and where it maintains its principal place of business;

WHEREAS Brink has agreed that depositions of any witnesses of plaintiff not domiciled in the proposed transferee court may be taken at the domicile of said witnesses or by telephone;

WHEREAS based on Brink's aforesaid representations plaintiff consents to the transfer of this action to the proposed transferee court;

WHEREAS no answer or motion for summary judgment has been filed by the co-defendant EF Trucking LLC, who is in default;

Stipulation & Order of Transfer  
11 Civ. 1395 (HB)  
Page 2

IT IS HEREBY STIPULATED AND ORDERED that the captioned action be and hereby is transferred pursuant to 28 U.S.C. § 1404(a) from this Court to the United States District Court for the Western District of Michigan; and

IT IS FURTHER STIPULATED AND ORDERED that the Clerk of this Court shall forward the papers on file in this Court to the Clerk of the United States District Court for the Western District of Michigan.

IT IS FURTHER STIPULATED AND ORDERED that the motion to dismiss or alternatively to transfer the action filed by Brink [D.E. # 8-10] is hereby withdrawn as moot in view of the aforesaid agreement to transfer the action.

Dated: New York, New York

~~July~~, 2011

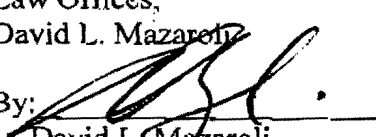
August 18, 2011

So Ordered:

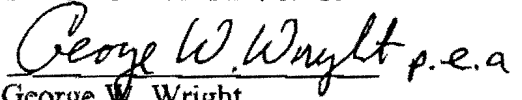


United States District Judge

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